

The Council of the Municipal District of Foothills No. 31 met in the Foothills Administration Building, High River, Alberta, for a meeting on January 31, 2008 at 8:30 a.m. Present were Reeve R. McLean, Councillors T. Waddock, R. Chase, R. Nelson, T. Mills B. Castell, L. Spilak, Municipal Manager H. Riva Cambrin and Recording Secretary J. Gordon.

The M.D.'s Director of Public Works and Engineering T. Gilliss entered the Council Chambers to answer any questions that Council may have with respect to Public Works.

Reeve McLean called the meeting to order.

AGENDA – JANUARY 31, 2008

Moved that Council approve the agenda for the Council meeting of January 31, 2008.

CARRIED

ADDITIONS TO AGENDA

Moved that Council approve the additions to the agenda for the Council meeting of January 31, 2008.

CARRIED

SUMMARY OF TRAFFIC COUNTS – JANUARY, 2008

Moved that Council accept for information purposes the report submitted by the Public Works Department

CARRIED

SIGNAGE ON 282 STREET WEST, NORTH OF HIGHWAY 22

Moved that Public Works staff proceed with the installation of warning signage, as recommended by the Public Works Department.

CARRIED

HEAVY TRUCK AND TRAILERS - CAPITAL PURCHASES

Moved that Council instruct staff to proceed with the purchase of one heavy truck from Western Star and two gravel trailers from Fort Garry Industries.

CARRIED

LANDOWNER CONCERNS – SIGHT LINES AND SPEED LIMIT

Moved that Council acknowledge having received a copy of the letter dated January 28, 2008, from Linda Lea Klippenstein to the Minister of Infrastructure and Transportation outlining her concerns regarding that portion of 32nd Street East.

CARRIED

HIGHWOOD MEMORIAL CENTRE SOCIETY

EXPANSION PLAN & RENOVATION PLAN

Chairman of the Highwood Memorial Centre Board Irv Cherneski, Manager Bill Nelson and M.D. of Foothills/Town of High River Grant Writer Leslie Fitzgerald were in attendance for a meeting with Council to seek additional funding for the second phase to the above-noted project. Mr. Cherneski noted the Board's appreciation for Mrs. Fitzgerald's contribution and hard work in preparing and formalizing their grant application.

Mr. Cherneski indicated that an opportunity for new funding spurred the development of a second phase to the project, the Renovation Plan. This Plan improves on the original Expansion Plan by providing special new features such as an audio-visual system, improved energy efficiencies, alternative energy sources, and an upgrade to the commercial kitchen.

Mr. Cherneski also stated that they have saved approximately 3 million dollars by refurbishing the building rather than knocking it down and building a new one.

Mr. Cherneski indicated that the amount being asked for will complete the project.

Mr. Cherneski asked for Council's permission, that should there be \$150,000 left over, these monies would be reallocated parking. Mr. Nelson encourages them to approach the Town to put away funds in reserve for facilities like this.

MARTYNA – LAND USE BYLAW AMENDMENT – NW 5-21-29 W4

Mr. and Mrs. C. Martyna were in attendance for the public hearing in connection with the proposed amendment of the 10.4-acre parcel in order to permit the future subdivision of one 5+/-acre parcel. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located approximately $\frac{3}{4}$ mile North of Okotoks, West of Highway 2A. One letter was received from J. Delehay and W. and A. Axley.

The tentative plan includes the existing panhandle approach from 8th St. E. with the most easterly parcel containing the residence and garage. The approach to the most Westerly parcel is proposed from the cul-de-sac on 5th St. E. The Public Works Department requested that a Caveat for 15 metres road dedication be taken along the West boundary of the existing parcel.

Due to the intermittent drainage that runs through the property, high water table and percolation testing is recommended in order to ensure a building site location within the boundaries of the proposed new parcel.

The landowner stated that their intention is to build on the new parcel and there will be no basement due to the water table.

The letter received from W. and T. Axley and J. Delehay stated that they have no objection to the proposal but wanted to ensure that the road allowance would be allowed along the West side of the property due to their future intentions to subdivide.

The public hearing was closed and no decision was made at this time.

BILLS AND ACCOUNTS - JANUARY 31, 2008

Moved that the following cheque nos. 18554-18562; 18564-18575; 18579; totalling \$12,761.87 be approved for payment:

<u>Cheque</u>	<u>General</u>	<u>Amount</u>
C18553	1009720 Alberta Ltd.	\$7,322.69
C18563	Pambrun, T.	5,000.00
C18576	Town of Black Diamond	14,539.47
C18577	Town of High River	176,009.78
C18578	UMA Engineering Ltd.	82,712.08

CARRIED

MINUTES - JANUARY 24, 2008

Moved that Council adopt the minutes, as circulated, of its January 24, 2008, Council meeting.

CARRIED

RIMBEY – LAND USE BYLAW AMENDMENT – NE 12-21-3 W5

Mr. R. Butz, appearing on behalf of Mrs. E. Rimbey, was in attendance for the public hearing in connection with the proposed amendment of the 15.54-acre parcel in order to permit the future subdivision of one 5+/-acre parcel. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located one mile Northeast of Millarville.

The subject property contains 15.54 acres and was created in 1973. At the present time, there are seven parcels within the quarter-section, ranging in size from 6.5 acres to 79.91 acres. It was noted that the 79.91-acre parcel is designated as Commercial Rural District and is the location of the Millarville racetrack grounds. The present proposal is to allow for the creation of one new 5+/-acre parcel to be accessed from Highway 549. As requested by Alberta Infrastructure and Transportation, a 30-metre x 30-metre service road right-of-way is proposed to provide access to both the new parcel and the balance parcel.

Within the proposed new parcel, there is a residence, barn, two sheds and an accessory building while the balance parcel has two sheds located within its boundaries. Mr. Butz stated that Ms. Rimbey lives out of town and although her intention is to keep the buildings within one title, she would give consideration to a revised site plan.

Three Point Creek runs just outside the South boundary of the subject parcel and in years of high water, the creek could affect the property. The Planning Officer noted the 1:100 year flood line and discussion took place with respect to the possibility of a building site on the property.

The public hearing was closed.

Moved that the application to amend Plan 731329 Block C in NE 12-21-3 W5 from the Country Residential District land use rules in order to permit the future subdivision of one 5+/-acre parcel be refused. In Council's opinion, the property could be affected by the high water table and cannot justify a parcel being subdivided due to the lack of an adequate building site.

CARRIED

McINTYRE – LAND USE BYLAW AMENDMENT - SE 10-21-1 W5

Mr. J. Kristiansen, representative for Mr. E. McIntyre, was in attendance for the public hearing in connection with the proposed amendment of the 15.35-acre parcel in order to permit the future subdivision of two 5.12+/-acre parcels. The public hearing was advertised in the Western Wheel and circulated to landowners within one-half mile of the subject property which is located approximately 3.5 miles North of Okotoks and West of Highway 552.

The subject parcel was subdivided as a 'first parcel out' of the quarter-section in 1989. The site plan shows three equal-sized parcels with an access provided by way of an internal subdivision road along the South boundary from Highway 552. The existing residence is located within the boundaries of the most Westerly proposed parcel. The existing well that supports the residence is located within the boundaries of the most Easterly parcel. There are also two sheds along the North boundary line which do not meet municipal setback requirements.

Upon circulation, Alberta Transportation requested a 30-metre service road be dedicated by Caveat along the East boundary of the existing parcel. The Public Works Department recommended that the applicant provide a stormwater

management plan to address the overland drainage and various slopes within the parcel as well as building locations identified and high water table testing carried out with regard to septic fields and foundations for the proposed new parcels. The Planning Officer indicated the overland drainage course which traverses through the property from the North towards the Southeast.

Mr. Kristiansen submitted that they presently rent the property and they would like to purchase the residence as well as one additional parcel, with the present landowner retaining ownership of one 5-acre parcel.

The public hearing was closed.

BYLAW 20/2008

Bylaw 20/2008 was introduced into the meeting to authorize the amendment of Plan 8910939 Lot 1 in SE 10-21-1 W5 from the Country Residential District land use rules in order to permit the future subdivision of one additional parcel.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Prior to further consideration, the landowner will be required to submit the following:

Revised site plan for two equal-sized parcels identifying the 30-metre dedication to the Southeast corner as per the requirement from Alberta Transportation and a panhandle from the Southeast corner of the property;

Proof of adequate water supply as per the Provincial Water Act;

Development Agreement for the road improvement fee of \$8,000.00;

Subdivision application with appropriate fees.

HISTORIC COMMITTEE

Ms. L. LeGeyt, Chair of the Municipality's Historic Committee, reported to Council on the goals and objectives as set out by the Historical Committee.

MARTYNA – LAND USE BYLAW AMENDMENT – NW 5-21-29 W4

BYLAW 22/2008

Bylaw 22/2008 was introduced into the meeting to authorize the amendment of Plan 1476LK Block 10 in NW 5-21-29 W4 from the Country Residential District land use rules in order to permit the future subdivision of one 5+/-acre parcel. The proposed new parcel will be designated as Country Residential 'A' District in order to address the high water table and drainage within the parcel.

Moved first reading.

THE BYLAW WAS PASSED FOR ONE READING

Prior to further consideration, the landowners will be required to submit the following:

Final lot fee of \$650.00;

High Water Table and Percolation Testing to be done to the satisfaction of the Public Works Department (Council noted at this time that the residence will be required to be built on a slab with the appropriate frost protection);

The site plan is to include the Caveat for future road dedication;

Development Agreement for the road improvement fee of \$8,000.00;

Proof of adequate water supply as per the Provincial Water Act;

Subdivision application with appropriate fees.

REGIONAL PROTECTIVE SERVICES COMMITTEE

Moved that Ms. Castell be authorized to attend the Regional Protective Services Committee meeting as a representative for the Council of the M.D. of Foothills No. 31.

CARRIED

WRITE OFFS

Moved that Council write off the invoices as submitted for rental of agricultural equipment.

CARRIED

LUNCH

Moved that Council adjourn for lunch.

CARRIED

COMMUNITY STANDARDS BYLAW

Moved that a public meeting be scheduled for April 3, 2008 at 1:30 p.m. in Council Chambers and that the notice in this regard will be placed in the Western Wheel as well as the municipal website.

CARRIED

FOOTHILLS FIRE SERVICES BYLAW

Moved that this agenda item be tabled until a meeting can be scheduled to discuss the proposed changes to the Fire Services Bylaw, as submitted by the M.D.'s Fire Chief.

CARRIED

HIGHWOOD MEMORIAL CENTRE SOCIETY

Moved that Council agree to commit to additional funding on the basis that the funds will not be forwarded until such time as the expenses are incurred and will be used specifically for the renovation of the building and not for parking. In addition, the Municipality will only fund the portion expended up to a maximum of \$150,000.00.

CARRIED

COUNCIL MEETINGS

Moved that the Council meeting originally scheduled for February 14, 2008 be rescheduled to February 19, 2008.

CARRIED

Moved that the Council meeting originally scheduled for March 11, 2008 be rescheduled to March 4, 2008.

CARRIED

FAMILY COMMUNITY SUPPORT SERVICES

Moved that Council approve the following recommendations as submitted by FCSS for 2008 grant funding approval:

Town of High River - \$14,000.00;

Red Deer Lake School Council - \$2,000.00.

CARRIED

CARPENTER - NE 23-21-29 W4

Moved that Council approve the Restrictive Covenant as submitted subject to a servient and dominant tenement being parties to the said Agreement.

CARRIED

BLAGOJEVIC - SUBDIVISION - SW 24-21-1 W5

Letter of concern received from T. and L. Reiersen

Moved that the subdivision of two 5+/-acre parcels from Plan 0311402 Block 2 Lot 9 in SW 24-21-1 W5 has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 of the Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

The application is consistent with Section 7 of the Subdivision and Development Regulations;

The subject land has the appropriate land use designation.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application be approved subject to the following conditions:

Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such means as satisfactory to the Registrar of the South Alberta Land Titles Office District;

All approaches to be located and constructed to MD standards and approved by the Public Works Department;

Public Reserve: to be by way of cash in lieu of land based on \$20,425.00 per acre on account of 10% of the proposed new parcels and to be deferred by Caveat on the balance;

Development Agreement for the road constructed to be registered concurrently with the Plan of Survey;

Landowners are to provide all utility easements and agreements to be to the satisfaction of the MD and the utility companies;

Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision; and furthermore,

It is the applicants' responsibility to provide a Real Property Report or an 'As Built Drawing' signed and sealed by an Alberta Land Surveyor certifying the location of the water wells within the boundaries of the new parcels and additionally, that the site plan is surveyed according to municipal requirements.

CARRIED

HERR – BOUNDARY ADJUSTMENT – S. 19-21-28 W4

Moved that Council approve the boundary adjustment whereby 3.4 acres from the 78.4-acre portion of NE 19-21-28 W4 is to be consolidated with the 1.6-acre portion of NE 19-21-28 W4 (which lies within the railway and station grounds on Plan RW 73, subject to the following conditions:

Boundary adjustment and Consolidation to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such means as satisfactory to the Registrar of the South Alberta Land Titles Office District;

All approaches to be located and constructed to MD standards and approved by the Public Works Department;

Public Reserve: to be by way of cash in lieu of land based on \$13,328.00 per acre on account of 10% of the 3.4-acre portion to be consolidated with the 1.6-acre parcel;

The Municipality's road widening requirement of 5 metres of land along the East boundary of the existing parcels to be dedicated by Caveat;
Landowners are to provide all utility easements and agreements to be to the satisfaction of the MD and the utility companies;
Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and furthermore,
It is the applicants' responsibility to provide a Real Property Report or an 'As Built Drawing' signed and sealed by an Alberta Land Surveyor certifying the location of the water wells within the boundaries of the new parcels and additionally, that the site plan is surveyed according to municipal setback requirements.

CARRIED

WOLFE - NW 32-21-28 W4

Moved that Council is not in favour of the revised site plan as proposed for the proposed redesignation in NW 32-21-28 W4.

CARRIED

7 HALF DIAMOND CATTLE COMPANY - SE 22-20-2 W5

Moved that Council accept the revised site plan as submitted for one 9.5+/-acre parcel proposed in SE 22-20-2 W5.

CARRIED

PERRY – SW 13-21-4 W5

Moved that Council has no objection to the time extension requested and the landowners therefore have until January 16, 2008 to comply with all conditions of subdivision as originally set forth by the Subdivision Appeal Board on January 16, 2007.

CARRIED

SUNDANCE AREA STRUCTURE PLAN - NE 13-20-1 W5

BYLAW 229/2007

Bylaw 229/2007 was reintroduced into the meeting to authorize the amendment to the Sundance Area Structure Plan (Phase II) located within Plan 0214219 Block 3 Lot 2 in NE 13-20-1 W5.

Moved second reading.

THE BYLAW WAS PASSED FOR TWO READINGS

Moved third reading.

THE BYLAW WAS PASSED

SUBDIVISION ROAD

Moved that Council acknowledge receipt of the request from the landowners and have no objection to their request to name the internal subdivision 'Tamarack Drive'.

CARRIED

ADJOURN

Moved that Council adjourn at 5:05 p.m.

CARRIED